

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
CIVIL MINUTES—GENERAL

Case No. **CV 25-4440-KK-MAAx**

Date: June 25, 2025

Title: ***Anthony Albert Baggett v. Atascadero State Hospital et al.***Present: The Honorable **KENLY KIYA KATO, UNITED STATES DISTRICT JUDGE**

Noe Ponce

Not Reported

Deputy Clerk

Court Reporter

Attorney(s) Present for Plaintiff(s):

Attorney(s) Present for Defendant(s):

None Present

None Present

**Proceedings: (In Chambers) Order DISMISSING Action**

On July 29, 2024, plaintiff Anthony Baggett (“Plaintiff”) filed a pro se prisoner civil rights Complaint (“First Complaint”) in the Eastern District of California against defendants Atascadero State Hospital, R. Keri, and Gustavo. See generally Anthony Baggett v. Atascadero State Hospital et al., 24-CV-06744-KK-MAAx. Plaintiff sought telephone access while in custody. Id. On August 2, 2024, the matter was transferred to this Court. Id. On May 16, 2025, the Court issued an Order accepting the assigned Magistrate Judge’s Report and Recommendation dismissing the action due to Plaintiff’s failure to prosecute and respond to the Court following Plaintiff’s apparent release from custody. Id.

On August 15, 2024, Plaintiff filed the instant Complaint in the Eastern District of California against defendant Atascadero State Hospital. ECF Docket No. (“Dkt.”) 1. Plaintiff, again, seeks telephone access while in custody. Id. On May 7, 2025, this matter was transferred to this Court. Dkt. 4.

Based on the Court’s review of the two actions, the Court identified the following outstanding issues: (1) the instant matter appears to be duplicative of Plaintiff’s First Complaint; (2) because Plaintiff appears to no longer be in custody, the relief sought appears to be moot; and (3) Plaintiff has not maintained or updated Plaintiff’s current mailing address – or filed a change in contact information – as required by Local Rules 5-4.8.1 and 83-2.4. Dkt. 7.

Accordingly, on May 22, 2025, the Court issued an Order to Show Cause (“OSC”) as to why the action should not be dismissed as duplicative. Dkt. 7. Plaintiff was ordered to file a response no

later than June 5, 2025. Id. Plaintiff was expressly warned that failure to timely file a response to the OSC would result in the action being dismissed without prejudice. Id.

To date, Plaintiff has not filed a response to the Court's OSC. Thus, this action is **DISMISSED WITHOUT PREJUDICE.** (JS-6)

**IT IS SO ORDERED.**